

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
SEPTEMBER 5, 2006
COUNCIL CONVENED AT 6:10 P.M.**

1. The invocation was given by Pastor Bill Bartholomew, Springcreek United Church of Christ/ Police Chaplain, and the Pledge of Allegiance was led by Page Justin Francis.

2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness –14-

Absent: -0-

3. Alderman Mark moved to accept the Journal of Proceedings of August 28, 2006, seconded by Alderman Jacobson. MOTION PREVAILED.

PETITIONS AND COMMUNICATIONS

4. Alderman Conness submitted a letter from Frank Cascio with concerns regarding an erosion problem with run-off water onto his property and mowing issues in a field by his home. Referred to Mayor Morrissey and Public Works Department.

5. Alderman Conness submitted an e-mail from Debra Currere regarding the excessive amount of speeding and an accident on Holmes Street. Referred to Mayor Morrissey and Police Department.

6. Alderman Conness submitted an e-mail from Trudy Lewis regarding a parking ticket she received and wishes to contest. Referred to Mayor Morrissey.

7. Alderman Conness submitted an e-mail from Tom Baehler regarding several illegal cars and boats parked in yards in his neighborhood. Referred to Neighborhood Standards and Police Department.

8. Alderman Johnson submitted three (3) Request for Service. Referred to the Police Department and Public Works Department.

9. Alderman Mark submitted a request from Mike DuPre, in conjunction with Oktoberfest requesting permission for the event, including police assistance and barricades at Toner from Auburn to Myott and ½ of the city parking lot that borders Toner on September 15th-17th. Alderman Mark moved to grant the prayer of petitioner, seconded by Alderman Jacobson. MOTION PREVAILED.

10. Alderman Mark submitted a request from Mike Leifheit, in conjunction with Block 5 – After the Fest requesting permission for the event, including outdoor entertainment, police assistance and barricades at the parking lot immediately east of the Irish Rose on

September 8th-9th. Alderman Mark moved to grant the prayer of petitioner, seconded by Alderman Jacobson. MOTION PREVAILED.

11. Alderman Mark submitted a request from Roy Mulligan, Mulligan Restoration, requesting permission for a banner on scaffolding to advertise business and restoration of building for three months. Alderman Mark moved to grant the prayer of petitioner, seconded by Alderman Jacobson. MOTION PREVAILED.
12. Alderman Mark submitted a request from Phil Elsbree, Rockford Area Convention and Visitor's Bureau, in conjunction with the Upper Midwest Convention and Visitor's Bureau Conference, requesting permission to close North Main from Jefferson to Park with barricades. Alderman Mark moved to grant the prayer of petitioner, seconded by Alderman Jacobson. MOTION PREVAILED.
14. Alderman Mark submitted a Memorandum from Kerry Partridge, City Attorney, regarding a proposed amendment to Section 16-189 of the Handicapped Parking Signs. Referred to Code and Regulation Committee.
15. Alderman Mark submitted a Memorandum from Ronald N. Schultz, City Attorney, requesting an Ordinance Prohibiting the Use of Potable Groundwater at the Speedway Super America Store #7038 located at 3209 S. 11th Street. Referred to Code and Regulation Committee.
16. Alderman McNeely submitted a request from Benjamin Diaz, in conjunction with the Apostolic Assembly Church event, requesting permission to close West from Cunningham to Blake with barricades at 810-812 West Street on September 23rd from 10am-8pm. Alderman McNeely moved to grant the prayer of petitioner, seconded by Alderman Wasco. MOTION PREVAILED.
17. City Council Clerk submitted a letter from Insight Communications regarding the 2006 second quarter franchise fee payment. Placed on File.

NEW COMMITTEE REPORTS

2006-316CR

18. Alderman Beck read a Finance and Personnel Committee Report recommending that the award for Pressure Zone Boundary, Phase 6 be made to the low bidder Stenstrom Excavation, of Rockford, IL for their total bid of \$450,718.60. The funding source is Water Utility Revenue Bonds (WURB).

Alderman Beck moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-
Nays: -0-
Absent: -0-

2006-317CR

19. Alderman Beck read a Finance and Personnel Committee Report recommending that the award for Street, Sewer, Traffic & Water Materials be made to the low bidder for each item as summarized:

Rockford Cement, of Rockford, IL
Rockford Blacktop, of Loves Park, IL
Unique Paving Materials, of Cleveland, OH

The funding source is Division Operating Budgets.

Alderman Beck moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness –14-
Nays: -0-
Absent: -0-

20. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of September 5, 2006 in the amount of \$1,030,777.65. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness –14-
Nays: -0-
Absent: -0-

21. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Zoning Map Amendment from R-1, Single-Family Residential District to R-3, Multi-Family Residential District for Parcel 2, and to APPROVE a Special Use Permit for a Planned Residential Development for homes for the aged/independent living for residents over the age of sixty (60) for Parcel 1 and 2 in an R-3, Multi-Family Residential District at 69XX Hiatt Drive. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Submittal of a detailed landscaping plan and illumination plan for Staff's review and approval.
3. Submittal and approval of a tentative and final plat prior to issuance of a building permit.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #045-06). LAID OVER.

22. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for the sale of liquor by the drink (indoors) in conjunction with a cafe/specialty

gourmet chocolate and dessert shop in a C-4, Commercial Oldtown Zoning District at 211 E. State Street. Approval is subject to the following conditions:

1. Meeting all applicable liquor laws of the City of Rockford.
2. Meeting all applicable Building and Fire Codes.
3. The Special Use Permit shall be in effect for three (3) years from the date of approval of the Ordinance by City Council.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #049-06). LAID OVER.

23. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for the sale of liquor by the package in conjunction with a grocery store/specialty shop in a C-2, Commercial Community Zoning District at 2704 North Main Street. Approval is subject to the following conditions:

1. Meeting all applicable liquor laws of the City of Rockford.
2. Meeting all applicable Building and Fire Codes.
3. The sale of alcohol is in conjunction with a full service grocery store/specialty store.
4. Liquor department will not exceed more than ten percent (10%) of the gross area of the building.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #052-06). LAID OVER.

24. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation of 2812 Searles Avenue, that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that, after passage of the annexation ordinance, the Legal Director shall record the ordinances, plat and affidavits of notice in the Recorder's Office and file a copy of the Annexation Ordinance with the County Clerk. LAID OVER.

2006-318CR

25. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the maximum square footage for an accessory structure from seven hundred and twenty (720) square feet to one thousand and fifty-six (1,056) square feet at 2110 Cumberland Street. Approval is subject to the following conditions:

1. No future gravel parking areas shall be added to the property.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #048-06).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED.

2006-319CR

26. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map

Amendment from R-1, Single-Family Residential District to R-2, Two-Family Residential District, and APPROVE the Special Use Permit for a Planned Residential Development consisting of five (5), four-family condominiums in an R-2, Two-Family Residential District at 4241 Pepper Drive. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a detailed landscaping plan to include size and types of species.
3. Remaining southern portion of the subject property shall be combined with the church's property.
4. Existing sidewalk to the east shall connect with the sidewalk for this development
5. Exterior lights shall have a timer
6. Submittal of a final plat including utilities and final draft of Condo Association Bylaw's for Staff review and approval.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #050-06).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED.

2006-320CR

27. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the permitted wall signs from two (2) to three (3) in a C-2, Commercial Community District at 1111 South Alpine Road. Approval is subject to the following condition:

1. Proposed wall signs attached to the penthouse must be reduced so that it does not extend past the perimeter of the penthouse height.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #051-06).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED (Alderman Holt abstained from the vote).

2006-321CR

28. Alderman Bell read a Planning and Development Committee Report recommending that the City Council approve the attached Agreement for demolition at the Piemonte Bakery Site at 1122 Rock Street. The Legal Director shall prepare the appropriate ordinance.

Alderman Holt moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED.

Alderman Conness exited the meeting at 6:30 pm.

OFFICERS REPORTS

29. Mayor Morrissey read a Proclamation proclaiming the week of September 11, 2006 to be "Suicide Prevention Week" in Rockford, and urged citizens to recognize suicide prevention as a public health priority.
30. Mayor Morrissey read a Proclamation proclaiming the month of September, 2006 to be "Pain Awareness Month" in Rockford, and urged citizens to educate themselves and recognize the importance of the treatment of pain.
31. Mayor Morrissey publicly acknowledged all the great efforts from City staff, Fire Department, Police Department, Public Works Department and Human Services, as well as our partners in the community. At 11:00 am today, Mayor Morrissey declared a local emergency, the first step in the City's efforts to receive additional help from the State and Federal government. He announced the State IEMA Office has begun surveying the site with City staff and our ESDA Coordinator Bill Beaman. He thanked the Red Cross, Salvation Army and Police Chaplains for providing meals and prayers for those in need, and expressed appreciation to the citizens of Rockford for their tremendous outpouring of generosity and support, applauding everyone for their efforts.
32. Mayor Morrissey announced a brief meeting will be held to up-date staff and council following tonight's council meeting regarding the response issues the City is dealing with in the aftermath of yesterday's storm. A press conference with the media will follow.
33. Mayor Morrissey also thanked Maichle Bacon, Winnebago County Health Department and his staff for their efforts in providing shots or any issues with regards to the floodwaters that could potentially be polluted.
34. Mayor Morrissey announced this week there will be no penalties for putting garbage out on the curbs early. He also mentioned that Com Ed gave notice that for the most part, the general areas impacted have power returned.
35. Mayor Morrissey advised that the Hallstrom Center is still in operation and thanked Pastor Randy Kiddle, Forest City Fellowship, for their generosity and support in providing a place for those citizens seeking refuge.
36. Mayor Morrissey assured the citizens that the City of Rockford Human Services Department will be available for support in dealing with insurance issues, as well as short and long term housing needs.
37. Mayor Morrissey commented on the Press Conference today to discuss the City's Capital Plans and appreciates the support in dealing with this issue. He thanked Representative Jefferson and Senator Syverson for their support and with the proposed language changes and a favorable vote next April, 2007, it would allow the City to begin collecting revenue starting July 1, 2007 rather than January 1, 2008.
38. Alderman Jacobson thanked Mayor Morrissey for his comments regarding the disaster and the continued update and open line of communication with him and City staff. He

also thanked the Fire and Police Departments for their continued efforts. Alderman Jacobson thanked Senator Syverson for driving through his ward and reiterated to the citizens to document all spending with regards to their cleanup efforts, taking photos and saving receipts.

39. Alderman Jacobson learned prior to council that two individuals, Thomas Johnson and Jesse Dobbs, rescued an individual who was trapped in his basement when the walls caved in. He commended Johnson and Dobbs for their heroism.
40. Alderman Jacobson spoke with Pete Lyons, Rock River Disposal, who indicated that garbage placed on the curb would be continually picked up until the cleanup is complete.
41. Alderman Jacobson commended Alderman Bell and the staff at the Driver's License Facility on Auburn Street for opening their doors and taking care of people.
42. Alderman Jacobson acknowledged John Mazorati, Rock River Disposal, who addressed council regarding garbage collection. He indicated the pickup schedule would run as normal, and then on Saturday and next Monday another collection pickup would go through those areas hit hardest by the storm.
43. Alderman Jacobson reiterated any person that came in contact with the floodwaters should consider getting a tetanus shot either from their doctor or the Winnebago County Health Department.
44. Alderman Jacobson voiced his concerns regarding citizens in his ward driving through the streets on jet skies in the aftermath of the storm.
45. Alderman Curran expressed his gratitude and congratulated all those individuals involved with On The Waterfront Festival for another successful year.
46. Alderman Curran thanked Mayor Morrissey and City staff for playing the Rockford Chariots in the wheelchair basketball game. Another exciting game was played with the City team losing 90 to 92, after being spotted 80 points!
47. Alderman Curran thanked all the rescue teams and citizens for their efforts and support to those individuals who needed help.
48. Alderman Beach thanked the Human Services Department staff for their timely response with his request for help with a family in his ward and expressed appreciation to all City staff.
49. Alderman Mark thanked Brian Eber and Bill Bondick, Public Works Department, for their quick response with some of the problems in the area of Spring Creek and Camella Court.
50. Alderman Mark made a reminder that Haight Village will be having their Historic Home Tour this weekend, September 9th-10th. He encouraged all to attend.

51. Alderman Mark mentioned this Sunday, September 10th at 7:00 am at the YMCA parking lot there will be approximately 250 bike riders beginning their journey down the Rock, Mississippi Illinois Rivers for the Illinois Great Rivers Ride.
52. Alderman Mark wished Mayor Morrissey a happy 37th birthday and with the participation of everyone, sang Happy Birthday.
53. Alderman Jacobson announced Alderman Johnson was also having a birthday this week and everyone sang to her also.
54. Alderman Jacobson thanked a personal friend, Tom Baudhin, for offering the rooms he had available at his hotel on the corner of Alpine and State Streets.
55. Alderman Jacobson acknowledged Pat Scott, former alderman for the City of Rockford in attendance at the council meeting.
56. Mayor Morrissey corrected the record indicating his birthday was actually yesterday, but did appreciate the acknowledgment and song.
57. Mayor Morrissey indicated City staff had received several calls regarding the Alpine Dam with concerns about the status of that structure advising the integrity of the dam was maintained and served it's purpose.
58. Mayor Morrissey thanked the local media for an outstanding job reporting prompt, factual information to the community during and after this disaster.

Alderman Holt exited the meeting at 6:55 pm.

UNFINISHED BUSINESS

2006-146-O

59. Alderman Beck moved the adoption of an Ordinance recommending that the Mayor and Legal Director are hereby authorized to execute and attest the attached Lease Agreement for 311 Elm Street by and between the City of Rockford and Omega Nut Co. MOTION PREVAILED by a Roll Call vote of:

Ayes:	Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays:	-0-
Absent:	Holt, Conness -2-

2006-322CR

60. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending "No Action" be taken on the following items:

1. Request from Alderman McNeely, to repeal the existing yield sign control at the intersection of Green Street and Howard Avenue and replace it with stop sign control.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck -11-
Nays: McNeely -1-
Absent: Holt, Conness -2-

2. Request from Alderman Sosnowski, for stop sign control at the intersection of Reid Farm Road and Sentinel Road.
3. Request from Michelle Ferguson, for "Two (2) Hour Parking" restriction, 7:00 am – 5:00 pm, Monday – Friday and "Residential Parking Permits" on both sides of Napoleon Street from Main Street to Church Street.
4. Request from citizen for "No Parking Anytime" on the east side of South Main Street from Lane Street south 170 feet.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

2006-323CR

61. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that all traffic be required to stop prior to entering the intersection of 10th Street and 4th Avenue, thus repealing the existing 2-way stop sign control. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

2006-147-O

62. Alderman Mark moved the adoption of an Ordinance recommending approval for a Groundwater Protection Ordinance at 1635 Rural Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-

Absent: Holt, Conness -2-

2006-148-O

63. Alderman Bell moved the adoption of an Ordinance adopting the North Main Street/Auburn Street Redevelopment Plan and Redevelopment Project. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

2006-149-O

64. Alderman Bell moved the adoption of an Ordinance designating the North Main Street/Auburn Street Redevelopment Project Area. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

2006-150-O

65. Alderman Bell moved the adoption of an Ordinance adopting Tax Increment Financing for the North Main Street/Auburn Street Redevelopment Area. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

2006-151-O

66. Alderman Bell moved the adoption of an Ordinance adopting the East State Street/Alpine Road Redevelopment Plan and Redevelopment Project. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

2006-152-O

67. Alderman Bell moved the adoption of an Ordinance designating the East State Street/Alpine Road Redevelopment Project Area. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-
Absent: Holt, Conness -2-

2006-153-O

68. Alderman Bell moved the adoption of an Ordinance adopting Tax Increment Financing for the East State Street/Alpine Road Redevelopment Area. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

MOTIONS AND RESOLUTIONS

2006-72R

69. Alderman Beck moved the adoption of a Resolution authorizing bids/proposals be taken for the following: Bid: Demolition for the West State Street Crossover, funding source: MFT; Bid: Demolition of 601 Acorn St., funding source: CDBG; RFP North Main Street Corridor Study, funding source: MFT; RFP: Truancy Code Hearing Officer, funding source: Rockford School District & Winnebago County. MOTION PREVAILED (Ald. McNeely voted no on the Truancy Code Hearing Officer; Ald. Holt, Conness absent).

2006-73R

70. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution that the Mayor and Legal Director are authorized to execute the attached annexation agreement for 1206 North Day. MOTION PREVAILED (Ald. Holt, Conness absent).

2006-74R

71. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution that the Mayor and Legal Director are authorized to execute the attached agreement, which provides for the inspection and maintenance of the Blackhawk Road Channel. MOTION PREVAILED (Ald. Holt, Conness absent).

NEW BUSINESS

72. Alderman Mark introduced and read an Ordinance amending Chapter 6, International Building Code, of the City of Rockford Code of Ordinances, which shall be deemed severable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder. LAID OVER.
73. Alderman Mark introduced and read an Ordinance amending Chapter 6, International Residential Code, of the City of Rockford Code of Ordinances, which shall be deemed severable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder. LAID OVER.

2006-154-O

74. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1604 of the City of Rockford Code of Ordinance for the Variation to increase the maximum square footage for an accessory structure from seven hundred and twenty (720) square feet to one thousand and fifty-six (1,056) square feet at 2110 Cumberland Street. Approval is subject to the following conditions:

1. No future gravel parking areas shall be added to the property.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #048-06).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. Holt, Conness absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

2006-155-O

75. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 603 of the City of Rockford Code of Ordinances for a Zoning Map Amendment from R-1, Single-Family Residential District to R-2, Two-Family Residential District, and APPROVE the Special Use Permit for a Planned Residential Development consisting of five (5), four-family condominiums in an R-2, Two-Family Residential District at 4241 Pepper Drive. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a detailed landscaping plan to include size and types of species.
3. Remaining southern portion of the subject property shall be combined with the church's property.
4. Existing sidewalk to the east shall connect with the sidewalk for this development
5. Exterior lights shall have a timer
6. Submittal of a final plat including utilities and final draft of Condo Association Bylaw's for Staff review and approval.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #050-06)

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. Holt, Conness absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

2006-156-O

76. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1604, of the City of Rockford Code of Ordinances for the Variation to increase the permitted wall signs from two (2) to three (3) in a C-2, Commercial Community District at 1111 South Alpine Road. Approval is subject to the following condition:

1. Proposed wall signs attached to the penthouse must be reduced so that it does not extend past the perimeter of the penthouse height.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #051-06).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. Holt, Conness absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson,
Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

2006-157-O

77. Alderman Mark introduced and read an Ordinance to amend Chapter 11 ½, Surface Water Management, of the City of Rockford Code of Ordinances.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. Holt, Conness absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson,
Timm, Beach, Beck, McNeely -12-
Nays: -0-
Absent: Holt, Conness -2-

78. Upon motion duly made and seconded, the meeting was adjourned at 7:14 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
SEPTEMBER 11, 2006
6:00 P.M.
AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)
- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER SEPTEMBER 5, 2006

1. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Zoning Map Amendment from R-1, Single-Family Residential District to R-3, Multi-Family Residential District for Parcel 2, and to APPROVE a Special Use Permit for a Planned Residential Development for homes for the aged/independent living for residents over the age of sixty (60) for Parcel 1 and 2 in an R-3, Multi-Family Residential District at 69XX Hiatt Drive. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Submittal of a detailed landscaping plan and illumination plan for Staff's review and approval.
3. Submittal and approval of a tentative and final plat prior to issuance of a building permit.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #045-06).

2. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for the sale of liquor by the drink (indoors) in conjunction with a cafe/specialty gourmet chocolate and dessert shop in a C-4, Commercial Oldtown Zoning District at 211 E. State Street. Approval is subject to the following conditions:

1. Meeting all applicable liquor laws of the City of Rockford.
2. Meeting all applicable Building and Fire Codes.
3. The Special Use Permit shall be in effect for three (3) years from the date of approval of the Ordinance by City Council.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #049-06).

3. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for the sale of liquor by the package in conjunction with a grocery store/specialty shop in a C-2, Commercial Community Zoning District at 2704 North Main Street. Approval is subject to the following conditions:

1. Meeting all applicable liquor laws of the City of Rockford.
2. Meeting all applicable Building and Fire Codes.
3. The sale of alcohol is in conjunction with a full service grocery store/specialty store.
4. Liquor department will not exceed more than ten percent (10%) of the gross area of the building.

Approval is based on the Findings of Fact (LAD 10/16/06, ZBA #052-06).

4. Mark – Code and Regulation - Recommending the approval of the annexation of 2812 Searles Avenue, that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that, after passage of the annexation ordinance, the Legal Director shall record the ordinances, plat and affidavits of notice in the Recorder’s Office and file a copy of the Annexation Ordinance with the County Clerk.

II. ORDINANCES LAID OVER SEPTEMBER 5, 2006

1. Mark - Ordinance - Amending Chapter 6, International Building Code, of the City of Rockford Code of Ordinances, which shall be deemed severable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.
2. Mark - Ordinance amending Chapter 6, International Residential Code, of the City of Rockford Code of Ordinances, which shall be deemed severable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

III. MISCELLANEOUS HELD OUT SEPTEMBER 5, 2006

- 1.* Curran - Appointment to the Design Review Committee, John R. Kuss, for a term ending June 2009. (Pursuant to Rule 18, this appointment will be up for passage September 25, 2006).
- 2.* Curran - Appointment to the Design Review Committee, Lawrence Morton, for a term ending June 2009. (Pursuant to Rule 18, this appointment will be up for passage September 25, 2006).

- 3.* Curran - Appointment to the Design Review Committee, Bertha Fernandez De Luna, for a term ending June 2009. (Pursuant to Rule 18, this appointment will be up for passage September 25, 2006).
- 4.* Mayor Morrissey - Appointment to the Human Services Board, Flossie Jean Hoarde, for a term ending June 2008. (Pursuant to Rule 18, this appointment will be up for passage September 18, 2006).
- 5.* Mayor Morrissey - Appointment to the Human Services Board, Rocio Arenas, for a term ending June 2008. (Pursuant to Rule 18, this appointment will be up for passage September 18, 2006).

IV. REVIEW CITY COUNCIL CLOSED SESSION MINUTES

* same action taken before

- Motions and Resolutions
- New Business (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).
- Adjournment

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POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE
Monday, September 11, 2006, 4:45 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA

1. C & R 06-176 Claim of Pat Olson regarding 1926 Cumberland
2. C & R 06-150 Ordinance Prohibiting Aggressive Panhandling
3. C & R 06-159 Changes to Purchasing Requirements
4. C & R 06-177 Handicapped Parking Signs – Section 16-189
5. C & R 06-178 Request for Ordinance Prohibiting the Use of Potable Groundwater
 Speedway Super America Store #7038 – 3209 S. 11th Street

6. C & R 06-170 Closed Session for Purposes of Pending Litigation - John Giliberti

FINANCE AND PERSONNEL COMMITTEE

**Monday, September 11, 2006, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Resolution to take Bids/Proposals
 - B. Vouchers
 - √Training/Travel for Police Department
2. Capital Plan Funding Referendum

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, September 11, 2006, 5:30 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.